



IT-w

Customized PTO/SB/21 (04-07)

TRANSMITTAL FORM

(for all correspondence after initial filing)

TRANSMITTAL FORM (for all correspondence after initial filing)	Application #	10/522,377
	Confirmation #	7987
	Filing Date	01/26/2005
	First Inventor	GAREY
	Art Unit	1641
	Examiner	Gabel, Gailene
Total number of pages in this submission =	Docket #	P08555US00/BAS

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fees calculated below	<input type="checkbox"/> Reply to Missing Parts/Incomplete Application
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> including Attachment(s)	<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> After Final Amendment/Reply	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> including Attachment(s)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Extension of Time Petition	<input checked="" type="checkbox"/> Copy of Preliminary Amendment
<input checked="" type="checkbox"/> Response to Restriction Req.	<input type="checkbox"/>


FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
<input type="checkbox"/> TOTAL CLAIMS		- 20		X \$ 50 =	
<input type="checkbox"/> INDEPENDENT CLAIMS		- 3		X \$ 200 =	
TOTAL OF ABOVE CLAIMS FEES =					
<input type="checkbox"/> Reduction by ½ for small entity status of applicant					
SUBTOTAL =					
<input type="checkbox"/> Fee for extension of time (per attached Petition)					
<input type="checkbox"/> Other fee for					
TOTAL OF ALL FEES =					0

☐ Payment by credit card. FORM PTO-2038 in the amount of \$ is attached.☒ The Director is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:

- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
(2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: July 26, 2007


By: B. Aaron Schulman
Registration No.: 31,877

STITES & HARBISON PLLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ Customer No. 00881



RESTRICTION REQUIREMENT	Application #	10/522,377
	Confirmation #	7987
	Filing Date	01/26/2005
	First Inventor	GAREY
	Art Unit	1641
	Examiner	Gabel, Gailene
	Docket #	P08555US00/BAS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In response to the Restriction Requirement dated June 28, 2007, and without addressing the arguments of the Examiner as stated therein, the restriction is moot by virtue of the fact that all of the claims from Group II, namely claims 16 and 17, were cancelled in a preliminary amendment filed with the entry of the National Stage in the application. A copy of Applicants' preliminary amendment, as obtained from the PAIR system, is attached hereto. It thus appears that the Examiner may not have been aware of Applicants' preliminary amendment when the present restriction was issued.

To the extent deemed necessary for the completion of the present response, Applicants hereby elect Group I, claims 1-15, drawn to system and method of multiparameter analysis of analytes.

Examination and allowance of the above claims is thus respectfully requested.

Date: July 26, 2007

Respectfully submitted,

By: B. Aaron Schulman
Registration No.: 31,877

STITES & HARBISON PLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 000881



11/522517

DT05 Rec'd PCT/PTO 26 JAN 2005

ATTACHMENT A
Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (original) A system for multiparameter analysis of analytes, the system comprising:
 - (a) primary supports with a largest dimension of 500 μm or less suspended in use in a fluid solution, wherein each primary support comprises identification means for identification thereof, and at least one primary analyte is bound to each primary support;
 - (b) a secondary analyte suspended in use in the fluid solution; and
 - (c) measuring means arranged in communication with the fluid solution for monitoring interaction between the primary analyte and secondary analyte, characterised in that:
 - (d) secondary supports with a largest dimension less than or equal to the largest dimension of the primary supports are suspended in use in the fluid solution, wherein each secondary support comprises identification means for identification thereof, and at least one secondary analyte is bound to each of the secondary supports; and
 - (e) the measuring means is arranged to detect any post-reaction interaction between one or more primary analytes and one or more secondary analytes by detecting the identification means of the primary and secondary supports attached thereto.
2. (original) A system according to Claim 1, wherein the largest dimension of the primary support is less than 300 μm .
3. (original) A system according to Claim 2, wherein the largest dimension of the primary support is less than 150 μm .
4. (original) A system according to Claim 3, wherein the largest dimension of the primary support is less than 50 μm .

COPY

5. (currently amended) A system according to ~~any one of Claims 1 to 4~~claim 1, wherein the largest dimension of the secondary support is less than that of the primary support.

6. (original) A system according to Claim 5, wherein the largest dimension of the secondary support is less than 100 μm .

7. (original) A system according to Claim 6, wherein the largest dimension of the secondary support is less than 50 μm .

8. (original) A system according to Claim 7, wherein the largest dimension of the secondary support is less than 10 μm .

9. (currently amended) A system according to ~~any one of the preceding claims~~claim 1, wherein at least one of the identification means comprises one or more distinguishing geometrical features, such as shape, size, barcode or dotcode, enabling identification of each support.

10. (currently amended) A system according to ~~any one of the preceding claims~~claim 1, wherein at least one of the identification means is a radio frequency identification transponder (RFID).

11. (currently amended) A system according to ~~any one of the preceding claims~~claim 1, wherein at least one of the identification means is an optical identification, such as fluorescence or colour based.

12. (currently amended) A system according to ~~any one of the preceding claims~~claim 1, wherein the primary or secondary supports are only partially covered in their respective primary or secondary analyte.

13. (currently amended) A system according to ~~any one of the preceding claims~~claim 1, wherein the fluid solution is a liquid.

14. (original) A system according to Claim 13, wherein the liquid suspension is accommodated on a solid substrate, which substrate includes a main surface extending substantially in a two dimensional plane and has tertiary analytes fixedly arranged thereon for positional identification.

15. (original) A method of multiparameter analysis of analytes, the method including the steps of:

- (a) providing at least one primary support with a largest dimension of 500 μm or less and with identification means for identification thereof;
- (b) binding at least one primary analyte to each primary support;
- (c) suspending the primary support with its primary analyte and a secondary analyte in a fluid solution; and
- (d) providing measuring means in communication with the fluid solution for monitoring interaction between the primary analyte and the secondary analyte, characterised in that the method further comprises the steps of:
 - (e) providing secondary supports with a largest dimension less than or equal to the largest dimension of the primary supports and with identification means for identification thereof;
 - (f) binding at least one secondary analyte to each of the secondary supports,
 - (g) suspending the secondary supports in use in the fluid solution, and
 - (h) arranging for the measuring means to detect any post-reaction interaction between one or more primary analytes and one or more secondary analytes by detecting the identification means of the primary and secondary supports attached thereto.

16. (cancelled)

17. (cancelled)

REMARKS

COPY

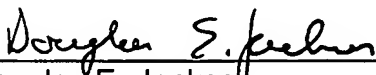
By this Amendment, the claims have been rewritten to reduce the multiple dependencies and to place the claims in better conformance with US practice.

Further and favorable action is respectfully solicited.

Respectfully submitted,

STITES & HARBISON, PLLC

Date: 1/26/05



Douglas E. Jackson
Registration No. 28518

1199 North Fairfax Street, Suite 900 - Alexandria, Virginia 22314 - (703) 739-4900